



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND
TECHNOLOGY

Resources and Support
Compliance and Planning

Brussels,
CNECT.R.4

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Subject: Your application for access to documents – EASE 2024/0906

Dear Sir,

We refer to your email dated 15 February 2024 wherein you make a request for access to documents pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (hereinafter ‘Regulation 1049/2001’), registered on 16 February 2024 under the abovementioned reference number. We also refer to our holding reply, dated 8 March 2024, our reference Ares(2024)1807045, whereby we informed you that the time limit for handling your application was extended by 15 working days pursuant to Article 7(3) of Regulation 1049/2001.

1. SCOPE OF THE APPLICATION

Your application reads as follows:

“Dear Communications Networks, Content and Technology,

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

All documentation (including but not limited to reports, email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to exchanges between DG CONNECT and Sekoia.io

<https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=722651352708-91>[...]'".

2. DOCUMENTS FALLING WITHIN THE SCOPE THE APPLICATION

We have identified the following document as falling within the scope of the application:

- Email exchange between DG CONNECT and Sekoia.io of 20 October 2023 and 8 January 2024, Ares(2024)1496613 (**'Document 1'**)

3. ASSESSMENT UNDER REGULATION 1049/2001

Following an examination of the identified document under the provisions of Regulation 1049/2001, we have arrived at the conclusion that partial access can be granted to the identified document.

Full disclosure of the identified document is prevented by the exception concerning the protection of privacy and integrity of the individual outlined in Article 4(1)(b) Regulation 1049/2001, since it contains the following personal data:

- Names and contact details of Commission staff members not pertaining to the senior management
- Names, functions, contact and CV details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation¹ does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) Regulation 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

4. REUSE OF DOCUMENTS

You may reuse public documents which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of the Commission documents](#). You may reuse the part of the disclosed document originating from the Commission free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original

¹Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Part of the disclosed document originates from a third party. Please note that it is disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originators, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from its reuse.

5. CONFIRMATORY APPLICATION

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission. You can submit it in one of the following ways:

by asking for a review via your portal ⁽²⁾ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Electronically signed

Martin Schauer
Head of Unit

Enclosures: (2)

⁽²⁾<https://www.ec.europa.eu/transparency/documents-request>